



BRINKS HOFER GILSON & LIONE

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Case No. 10922-58

FEB 13 2004

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U. S. DOCKETDECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled IMPROVED PERFUSION INCUBATOR, the specification of which:

- is attached hereto.
- was filed on September 15, 2003 as Application Serial No. 10/662,981.
- and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed
PQ6530 Australia March 28, 2000	<input checked="" type="checkbox"/> <input type="checkbox"/>
2002951423 Australia September 17, 2002	<input checked="" type="checkbox"/> <input type="checkbox"/>

(Number) (Country) (Day/Month/Year Filed) Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

60/412,423 September 17, 2002
(Application Serial No.) (Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

09/819,407 (Application Serial No.)	March 28, 2001 (Filing Date)	Patented -Issued 9-30-03 (Status-patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment; or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature

Allan J. Smith

Date:

02/09/04

Full name of sole or first inventor

Allan-Joseph Hilling-Smith

Residence

Queensland, Australia

Citizenship

Australia

Post Office Address

59 Delavan Street, Wishart, Queensland 4122, Australia

BRINKS HOFER GILSON & LIONE

P.O. Box 10395.

Chicago, IL 60610

(312) 321-4200

Inventor's Signature

Full name of second joint inventor, if any

Residence

Citizenship

Post Office Address

Date:

David Sean O'Brien

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Australia

136 Orchard Road, Redland Bay, Queensland 4165, Australia

Inventor's Signature

Full name of third joint inventor

Residence

Citizenship

Post Office Address

Date:

David Paul Michel

Queensland, Australia

Australia

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Inventor's Signature

Full name of fourth joint inventor

Residence

Citizenship

Post Office Address

Date:

Paul Chan

Queensland, Australia

Australia

8 Oyster Point Esplanade, Scarborough, Queensland 4020, Australia

Inventor's Signature

Full name of fifth joint inventor

Residence

Citizenship

Post Office Address

Date:

Inventor's Signature

Full name of sixth joint inventor

Residence

Citizenship

Post Office Address

Date:

Inventor's Signature

Full name of seventh joint inventor

Residence

Citizenship

Post Office Address

Date:



Case No. 10922-58

DECLARATION FOR PATENT APPLICATION

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- is attached hereto.
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			<u>Priority Claimed</u>
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Inventor's Signature

Full name of sole or first inventor

Residence

Citizenship

Post Office Address

Date: _____
Allan Joseph Hilling Smith
Queensland, Australia
Australia
59 Delavan Street, Wishart, Queensland 4122, Australia

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200

Inventor(s): ALLAN JOSEPH HILLING SMITH, DAVID SEAN O'BRIEN, DAVID PAUL MICHAEL AND PAUL CHANTitle: IMPROVED PERfusion INCUBATOR**POWER OF ATTORNEY**

The specification of the above-identified patent application:

- is attached hereto
 was filed on September 15, 2003 as application Serial No. 10/662,981

I hereby appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

Raymond W. Green, Reg. No. 24,587	James A. Collins, Reg. No. 43,557	Richard J. Godlewski, Reg. No. 30,056
Jerold A. Jacover, Reg. No. 26,284	Vineet Gauri, Reg., No., 44,701	James B. Hunt, Reg. No. 40,276
A. James Richardson, Reg. No. 26,983	Richard E. Stanley, Reg. No. 45,662	Charles W. Agnew, Reg. No. 44,497
James P. Naughton, Reg. No. 30,665	L.G. Almeda, Reg. No. 46,151	
Steven Oberholtzer, Reg. No. 30,670	Timothy K. Klintworth, Reg. No. 46,162	
Rodney A. Daniel, Reg. No. 31,605	DeWayne Hughes, Reg. No. 46,783	
Jeffery M. Duncan, Reg. No. 31,609	Peter Breen, Reg. No. 47,411	
Thomas J. FilarSKI, Reg. No., 31,612	Carmen Matos Michael, Reg. No. 47,493	
Lawrence A. Steward, Reg. No. 32,309	Christopher A. Harkins, Reg. No. 48,775	
G. Peter Nichols, Reg. No. 34,401	Jonathan M. Blanchard, Reg. No. 48,927	
Michael E. Milz, Reg. No. 34,880	Jonathan P. Taylor, Reg. No. 48,338	
Janet A. Pioli, Reg. No. 35,323	John Card, Reg. No. 48,423	
Margaret Dobrowitsky, Reg. No. 36,501	Stephanie J. Felicetto, Reg. No. 50,814	
Dominic P. Zanfardino, Reg. No. 36,068	Samuel Shehadeh, Reg. No. 52,215	
Shannon K. Mrksich, Reg. No. 36,675	Peter Brunovskis, Reg. No. 52,441	
Meredith Martin Addy, Reg. No. 37,883	Alejandro Fernandez, Reg. No. 52,886	
David W. Okey, Reg. No. 42,959		

of the firm of
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(312) 321-4200

of
COOK INCORPORATED
P.O. Box 2269
Bloomington, IN 47402-2269

Please address all correspondence and telephone calls to Jonathan M. Blanchard, Ph.D. in care of:

Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610
(312)321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Richard J. Godlewski, James B. Hunt and Charles W. Agnew as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

COOK UROLOGICAL INCORPORATED, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.
OR
- An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, frame _____.
OR
- A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
1. From _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, frame _____, or a copy thereof is attached.
 2. From _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, frame _____, or a copy thereof is attached.
- Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature 
Name: CHARLES W. FRANZ
Title: PRESIDENT

Date: 3-1-04

Rev. Dec.-99
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